

# TABLE OF CONTENTS

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1. Adult Standards Summary Sheet
2. Case Fact Sheet\*\*
3. Orientation Checklist
4. Emergency Telephone Calls for Intensive Supervision Clients
5. Adult Standards Summary Sheet
6. Community Service Opportunities
7. Community Service Log
8. DNA Notification/Registry
9. Client Grievance Form
10. Random Drug/Alcohol Testing Policy
11. Directive to Clients on Color Code Drug Testing\*\*
12. Informant Policy
13. Restoring Your Right to Vote in Kansas
14. Employment Notification Policy
15. Firearms Restrictions
16. State of Kansas Information Pertaining to Expungement of Convictions
17. Release of Information
18. Adult Services Fees
19. Client Charge Slip\*\*
20. Things to Bring for an Office Visit
21. Cognitive Behavior Change Course\*\*
22. Senate Bill 123 Reimbursement Form
23. General Terms of Probation
24. Acknowledgement Form\*\*

\*\*Requires Client Signature

## Adult Services Vocabulary List

Arrest & Detain:	Called an “A & D” – This is when your ISO has you arrested prior to obtaining a warrant from the judge.
Breath Analysis:	Called a “BA” – This is a test which determines if you have been using alcohol.
DNA:	Blood and saliva samples collected from individuals convicted of any felony and certain misdemeanors.
Electronic Monitoring:	Called “EMD” – This is a level of supervision which requires the client to wear an electronic bracelet which tracks their movements, to and from the home.
General Educational Development: Called “G.E.D.”	This is the equivalent of a high school diploma.
Probation Revocation Hearing:	Called a “PV” – This is a Court hearing held by the judge to see if you have broken the rules of your probation.
Urinalysis:	Called a “UA” – This is a urine test which determines if you have been using illegal drugs or alcohol.
Community Service Work:	Called “CSW” – This is volunteer work at a non-profit agency.
Intensive Supervision Officer:	Called an “ISO” – This is the title of your probation officer.

## Emergency Telephone Calls for Intensive Supervision Clients

1. From time to time there may be an emergency situation, which makes it necessary for you to contact your ISO after normal hours.
2. An example of an emergency situation would be the death of a close family member, which has occurred out of the County or State, and you want permission to leave the County or State as soon as possible, in order to be with your family.
3. All ISOs have voicemail on their phones. Please make sure you receive a business card with your ISO's direct number and follow the directions of your ISO regarding emergencies.

## ADULT STANDARDS SUMMARY SHEET

	<b>Intensive Supervision Level I</b>	<b>Intensive Supervision Level II</b>	<b>Intensive Supervision Level III</b>	<b>Intensive Supervision Level IV</b>
<b>Contacts</b>	4 per month	3 per month	2 per month	1 per month
<b>Risk/Needs Assessment</b>	Pre-Sentence (SB123) First 30 calendar days from assignment	Re-assessment six months after initial		
<b>Initial Supervision Plan</b>	First 30 days following sentencing, revised every 90 days	Revised every 90 days	Revised every 90 days	Revised every 90 days
<b>Law Enforcement Checks</b>	1 per week	1 per week	1 per week	1 per week
<b>Initial Employment Letter (violent or person felonies only)</b>	w/in 1 week violent and/or person felons	w/in 1 week violent and/or person felons	w/in 1 week violent and/or person felons	w/in 1 week violent and/or person felons
Verify Employment	1 per month	1 per month	1 per month	1 per month
Unemployed	Sched. Job Search Activities	Sched. Job Search Activities	Sched. Job Search Activities	Sched. Job Search Activities
<b>Curfew</b>	ISO Discretion	ISO Discretion	ISO Discretion	ISO Discretion
<b>Community Service</b>	All court ordered hours	All court ordered hours	All court ordered hours	All court ordered hours
<b>Termination</b>	All placement objectives completed, 90 days drug free, employed or in school at least 60 days, ISO supervisory and Judge's approval.	All placement objectives completed, 90 days drug free, employed or in school at least 60 days, ISO & supervisory and Judge's approval.	All placement objectives completed, 90 days drug free, employed or in school at least 60 days, ISO & supervisory and Judge's approval.	All placement objectives completed, 90 days drug free, employed or in school at least 60 days, ISO & supervisory and Judge's approval.

# COMMUNITY SERVICE OPPORTUNITIES

AGENCY AND DIRECTOR	LOCATION/ PHONE	HOURS	DUTIES	ADDITIONAL INFORMATION
Big Brothers/Big Sisters	305 S. 4 <sup>th</sup> Street Manhattan, KS 66502 (785) 776-9575	M – F 8:00-5:00	Activities, office work, mailing, bulletin boards, etc.	
Corp of Engineers	5020 Tuttle Creek Blvd. Manhattan, KS 66502 (785) 539-8511	M – F 8:30-3:30 7 days/week March – September 5 days/week September – March	Outdoor maintenance, painting, litter removal, some moving and odd jobs	
Flint Hills Breadbasket	905 Yuma Manhattan, KS 66502 (785) 537-0730	M – F 8:00–12:00 1:00-4:00 Occasional afternoons/weekends	Stock shelves, distribute food, dust and wipe food cans, boxes, etc.	
Friends of the Sunset Zoo	2333 Oak Street Manhattan, KS 66502 (785) 587-2737	M – F 8:00-12:00 & 1:00-5:00	Inside/outside maintenance, painting, yard work, etc.	Must be present entire shift: 8-12, 1-5, or 8-5 (w/ lunch break) Must be 18 & over
Manhattan Emergency Shelter	831 Leavenworth St. Manhattan, KS 66502 (785) 537-3113	M-F 8:00-7:00	Organize clothing room, laundry, sort donations, yard work, painting, etc.	Age 18+ OR must have a parent present during shift
Public Works/County Parks Dept./Transfer Station	1811 Henten Rd. Manhattan, KS 66502 (785) 565-6290	M – F 7:00-5:00 Weekends – Transfer Station only	Haul trash, park, road, bridge	Must call in advance each day to see if work available
Senior Center	412 Leavenworth Manhattan, KS 66502 (785) 537-4040	M – F 8:00a.m.-4:00p.m.	Clerical office work, mailing, inside/outside maintenance	
UFM Learning Center	1221 Thurston Manhattan, KS 66502 (785) 539-8763	M – F 8:30-12:00 & 1:00-5:00	Clean up, office work, yard work	
Seven Dolors Budget Shop	730 Colorado Manhattan, KS 66502 (785) 565-5010	M – F 9:00-2:00 Sat. 10:00-1:00		
Friendship House	106 N. Elm Ogden, KS 66517 (785) 539-1791	M – F 1:00-4:00		
City of Manhattan	(785) 587-2450	Sat. & Sun. 8:00-12:00 & 1:00-5:00		Age 13+ Must call during the week to set up weekend appt., must work min. of 4 hrs. at time
Habitat for Humanity	621 Humboldt Manhattan, KS 66502 (785) 537-7545	varies		Age 16+ Takes about a month to set up work, most work on Saturdays
Ogden Youth Center	226 Riley Ave. Ogden, KS 66517 (785) 539-9955	School Year: M-Thus. 4-8 Fri.-Sat. 5-9 Summer Hours: Tues.-Sat. 5-9		Age 12+
Boys & Girls Club of Manhattan	305 S. 4 <sup>th</sup> Manhattan, KS 66502 539-1947	M-F 8:00 to 3:00	Clean facility and vans	No person offenses
Kansas Fish & Game Wildland	5800 A River Pond Rd Manhattan, KS 539-7941	M-F 8:00-4:30	Painting, carpentry, and digging	Must be 18 +
Salvation Army	310 Poyntz Manhattan, KS 66502 770-3171	M-S 10:00-5:30	Pack clothes, load trucks, sweeping, sorting, painting, general clean-up	
Manhattan Parks & Rec	Cemetery Manhattan, KS 587-2780	M-F 8:00-4:30	Outside maintenance	Must be 18+
United Methodist Church of Riley	104 E. Ash Riley, KS 66531 (785) 485-2234		Maintenance/ Clean-up	
Riley Presbyterian Church-food basket	Broadway & Kansas Ave. Riley, KS 66531 (785) 485-2697	Sat 9:00-11:00a.m.	Pantry work including disturbing food, some clean-up work	Juveniles from surroundings areas, Riley & Randolph

# COMMUNITY SERVICE LOG

CLIENT: \_\_\_\_\_ HOURS ORDERED: \_\_\_\_\_

WORK SITE: \_\_\_\_\_ SUPERVISOR: \_\_\_\_\_

TYPE OF WORK: \_\_\_\_\_

OVERALL PERFORMANCE:

\_\_\_\_\_ Poor    \_\_\_\_\_ Satisfactory    \_\_\_\_\_ Good    \_\_\_\_\_ Excellent

Date	Hours	Location	Supervisor

## **DNA NOTIFICATION/REGISTRY NOTIFICATION**

Should you be convicted of an offense listed in Kansas H.B. 2176, you will be required to submit to DNA testing at your own personal expense. Further, if you are convicted of an offense listed in K.S.A. 22-4901 et. seq., you will be required to register at the local sheriff's office. You shall register in person to the sheriff's office biannually (two times per year) during the month of your birthday and during the sixth month following your birthday. A registration fee of \$25.00 shall be charged each time the offender reports to the sheriff's office. Offenders changing address are required to notify the law enforcement agency where last registered of the new address within 10 days.

Further, pursuant to K.S.A. 22-4902 driver's licenses and state identification cards for offenders required to register shall indicate that the person is a registered offender. A current driver's license held by an offender on the effective date of the bill shall remain valid until the offender's next birthday. Licenses and identification cards shall be renewed annually on the offender's birthday.

### **GRIEVANCE PROCEDURE**

The grievance procedure is a series of both informal and formal levels utilized in resolving complaints. Except in emergency situations, you must try to reach an informal resolution of the matter prior to filing the grievance. You should first seek information, advice, or help on the matter from your Officer, or another staff member. If you are unable to solve the issue, you should request to resolve the matter with the Director. Should the matter still not be resolved, you have the right to file a formal grievance.

### **SUPERVISION FEE ASSESSMENT**

Clients are required to pay an initial supervision fee in the amount of \$100.00. A provision exists for waving the supervision fee in certain limited situations. Clarification of these situations may be obtained from your supervision officer.

Your supervision officer will provide you with an initial payment slip. You must purchase a money order for the exact amount indicated on the payment slip payable to Riley County Community Corrections. Your supervision officer will then provide you with a receipt documenting your payment, which requires not only your signature, but two staff member signatures as well.

### **CONDITION VIOLATIONS**

Violations of the conditions of supervision will result in the imposition of interventions by the supervision officer. Interventions can range from referrals to therapy or inpatient drug and alcohol treatment to revocation. Generally, there are many other possibilities within this range and depend on previous violation history, the current violation, and other factors. The supervision officer will attempt to impose the intervention that addresses the violation appropriately and meets the needs of the client without compromising community safety.

### **REVOCAION PROCEDURE**

Should you be cited with violations, your supervision officer will submit an Affidavit of Violations to the County Attorney's Office. After reviewing the Affidavit, a Summons to Appear or a Warrant will be issued for you to appear in Court.

# CLIENT GRIEVANCE FORM

As an individual being supervised by Community Corrections, you have the right to file a formal grievance with the Director if all informal options have been exhausted, **and** you still feel the matter is unresolved. If requested, the Director may interview you. If you need assistance in writing your appeal/grievance, the staff will assist you.

In all cases, the decision of the Director will be final.

Client's Name: \_\_\_\_\_ Date: \_\_\_\_\_  
Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Name of person/s whom you are filing this grievance against:  
\_\_\_\_\_

Name of witnesses who observed or have first-hand knowledge concerning this grievance:  
Witness Name: \_\_\_\_\_  
Witness Phone: \_\_\_\_\_

In your own words, please explain in detail why you are filing this grievance, and how it has affected your probation:

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I hereby certify that the above information is true and correct to the best of my knowledge.

\_\_\_\_\_  
Signature                                  Date

\_\_\_\_\_  
Witness    Date



# **RANDOM DRUG/ALCOHOL TESTING POLICY**

## **(RCCCP&P 3A-SER-103)**

It shall be the policy of Riley County Community Corrections to perform drug testing, scheduled or unscheduled, when it is in the best interest of the client, the agency, and public safety, and according to the established procedures.

All new clients assigned to Riley County Community Corrections who are Court-Ordered shall be given a full screen upon assignment. During the intake period, clients will be drug screened on a regular/random basis.

It is the expectation that clients remain drug and alcohol free as a condition of probation. Clients must submit a urine or saliva sample upon the request of any community corrections staff member within the period of one hour. During this period the client will remain at the Community Corrections' Office, and will be allowed to drink a reasonable amount of liquid for a urine sample. Failure to submit a specimen within the specified one hour, or any attempt to tamper with the specimen will be considered failure to submit to testing and may constitute a probation violation.

If a positive field test is submitted, the client will be offered a chance to admit to the use of the substance tested. Any positive screen and/or confirmation shall be assessed to the client, at a rate determined by the agency, unless waived by the Court or supervising officer. Any positive test, refusal, or attempt to mask or tamper with a specimen will be considered a positive drug test and may result in a revocation of probation or any lesser sanction that is deemed appropriate.

## Directive to Clients on Color Code Drug Testing

The following protocol for drug testing is being implemented effective (DATE):

The number for the drug color code hotline is (785) 565-6476. You will call the hotline number **SIX DAYS A WEEK, Sunday through Friday** after 9:00 pm to hear the colors for the following day. If your color is called, you must submit to a urine sample on the stated day. Instructions will be announced on the phone message as to the testing date and the hours you will be able to report. You may only be excused from the drug test by your assigned supervision officer.

**Please listen to all information on the recording.**

Negative drug screens are free. Positive drug screens carry a charge that will vary depending on which drug(s) tested positive. Urine specimens that test positive for a controlled substance (that was not prescribed to you) will be considered a violation of your probation.

Attempts to tamper with the collection procedure or the ingestion of a substance in an attempt to alter the results of the test will be considered a violation of your supervision. Inability to provide a sample (Breath Analysis, Urinalysis, and/or Saliva test) will be viewed as a refusal to provide a sample and will be considered a violation of your probation.

Please report to the following address to submit to the drug test:

Manhattan Community Corrections  
115 N. 4<sup>th</sup> Ave, Second Floor West, Manhattan, KS 66502  
Phone: (785) 537-6380

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You have been assigned the color \_\_\_\_\_. Effective \_\_\_\_\_ when this color is called, you are to report that day for testing at the Riley County Community Corrections Department location listed above. You may call the hotline to hear if your color has been called the day before. Failure to submit is a violation of probation and the court order for which you could be ordered to reappear before the judge who granted you probation.

\_\_\_\_\_  
Client/Respondent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian (if applicable)

\_\_\_\_\_  
Date

## **INFORMANT POLICY**

An informant is an individual who provides information to law enforcement officers which is beyond routine contact that may occur such as witnessing a crime, filing a report, or cooperating with an investigation. It often includes participation in criminal activity itself. You are prohibited from working as an informant unless special circumstances exist. Certain clients may be permitted to be utilized as informants to assist law enforcement agencies, subject to certain limitations. You may be permitted to act as an informant only with consent of the Director and an authorized law enforcement official from the agency requesting your assistance. Please discuss this with your supervision officer if you have any questions.

Restoring  
Your Right to Vote  
Kansas  
Issued December 2000

The right to vote is an important civil right in a democracy as well as a civic responsibility, as yet many persons who have been convicted of a crime do not know whether they are eligible to vote. For both federal and state elections, the right to vote is controlled by the law of the state in which you live. Some states restrict the right to vote for the persons who have been convicted of a crime. This pamphlet is intended to help you determine whether you are eligible to vote in the state in which you live, and if so, what steps you must take to be permitted to vote.

*What law governs whether my felony conviction limits my right to vote?*

The impact of a criminal conviction on the right to vote varies widely from state to state. Whether you can vote after being convicted of a crime is determined by the state in which you live, both the state in which you were convicted.

*Can I vote while involved in the correctional system of Kansas?*

Conviction of either a state or a federal felony results in the loss of voting rights until you complete the terms of the sentence. If you are granted probation or parole, your term of sentence is not completed until the probation or parole is finished. The law prohibits a person who has been convicted of a felony from all of the following: registering to vote, voting, holding public office, or serving on a jury.

*I have been released from incarceration. How do I restore my right to vote?*

In Kansas, the right to vote is automatically restored upon release from custody (includes parole and probation) at the expiration of your sentence, or upon final discharge from parole or conditional release. In order to vote, you simply must register.

*What if my conviction was for a federal crime?*

Kansas applies the same rules whether you were convicted of a federal or a state crime.

*What if I was convicted in another state?*

The same rules apply for Kansas voters even if the conviction occurred in another state.

*What happens if I move to another state?*

If you move to another state, your right to vote will be controlled by the laws of that state.

*What are Kansas's other voter registration requirements?*

To register to vote in Kansas, you must be a U.S. citizen, a Kansas resident, be at least 18 years of age before the next statewide general election.

You are disqualified from voting by reason of death, federal or state felony conviction, or declaration by a Kansas court of law.

When do I need to register to vote?

Registration is available year round in Kansas. However, in order to vote in an election, you must have registered at least 15 days in advance of the election.

Where do I go to register?

Registration is available at many places in Kansas, including the County Clerk's office, post offices and libraries, and many public buildings. In addition, you can register to vote at most public service agencies when applying to receive services.

If you believe you are eligible to vote and encounter difficulty registering, please contact the Kansas Election Division at:

Kansas Secretary of State

Election and Legislative Matters Division

First floor, memorial

120 SW 10<sup>th</sup>. Ave.

Topeka, KS 66612-1594

785 – 269 4561 (Phone)

785 – 291 – 3051 (fax)

1-800 – 262 0 VOTE (toll-free)

[www.kssos.org/main.html](http://www.kssos.org/main.html)

If the Kansas Election Division is unable to help you, or to report a problem, contact:

United States Department of Justice

Civil Rights Division

Post Office Box 66128

Washington, D.C. 20035

(202) 307 – 2767 (voice)

1-800 253 – 3931(toll-free)

(202) 307-3961 (fax)

[www.usdoj.gov/crt](http://www.usdoj.gov/crt)

*This pamphlet is provided for informational purposes only, as an aid to further inquiry. The laws in many states are revised frequently, and may have changed since this pamphlet was issued. It is your responsibility to determine whether you are lawfully eligible to vote, and criminal penalties can result from voting when ineligible or making false statements on a registration form.*

## **EMPLOYMENT NOTIFICATION POLICY**

**(RCCCP&P 2A-PRO-112)**

It shall be the policy of Riley County Community Corrections to require employment notification for all violent and/or person felonies, and at the discretion of the Adult Intensive Officer for special circumstances. Intensive Supervision Officers shall allow violent, person felony clients one week to inform their employer as to the status of their community corrections assignment prior to contacting the employer in writing.

Employer notification shall occur one week after informing the client to inform their employer. Notification shall be in the form of a letter and shall include the Intensive Supervision Officer's contact information, offense for which the client was assigned and their length of term. A copy of the employer notification letter shall be placed in the correspondence section of the client file.

All clients of Riley County Community Corrections are expected to maintain adequate, appropriate employment. If it is thought that notification to an employer will create undue distress, the Director may consider other employment notification alternatives.

# FIREARMS RESTRICTIONS

## NOTIFICATION

### PROHIBITION ON THE POSSESSION OF FIREARMS

Current Kansas and Federal laws make the receipt; possession and/or transportation of a firearm by a person convicted of a felony a separate crime punishable in Kansas and/or Federal court as a felony.

Kansas law, K.S.A. 21-420(a)(1) makes it unlawful for a person who is both addicted to and an unlawful user of a controlled substance to possess any firearm.

Kansas law, K.S.A. 21-4209(a)(2) makes it unlawful for life for a person to possess any firearm if that person has: 1) been convicted of a person felony or violation of any provision of the uniform controlled substances act under the laws of Kansas or any other jurisdiction; and 2) was found to have been in possession of a firearm at the time of the commission of the offense.

Kansas law, K.S.A. 21-4204(a)(3) makes it unlawful for a person to possess any firearm within five (5) years of conviction or release from imprisonment if that person has: 1) been convicted of a felony; and 2) was found not to have been in possession of a firearm at the time of the commission of the offense.

Kansas law, K.S.A. 21-4204(a)(4) makes it unlawful for a person to possess any firearm within ten (10) years of conviction or release from imprisonment if that person has: 1) been convicted of one of the below listed felonies (K.S.A. and brief offense description are provided); and 2) was not found to have been in the possession of a firearm at the time of the commission of the offense.

- 21-3401 Murder in first degree
- 21-3402 Murder in second degree (intentional or reckless)
- 21-3403 Voluntary manslaughter
- 21-3404 Involuntary manslaughter
- 21-3410 Aggravated assault
- 21-3411 Aggravated assault on a law enforcement officer
- 21-3414 Aggravated battery
- 21-3415 Aggravated battery on law enforcement officer
- 21-3419 Criminal Threat
- 21-3420 Kidnapping
- 21-3421 Aggravated kidnapping
- 21-3427 Aggravated robbery
- 21-3502 Rape
- 21-3506 Aggravated criminal sodomy
- 21-3518 Aggravated sexual battery
- 21-3716 Aggravated burglary
- 65-4127a, 65-4127b, or K.S.A. 2000 Supp. 21-3442 or 65-4160 through 65-4164** (various drug possession or sale offenses)

This section also creates a ten (10) year ban for a person convicted of a non-person felony or juvenile adjudication if there was a finding of possession of a firearm during that offense. These laws also apply to adjudicated juvenile if the commission of an act, which, if done by an adult, would constitute the commission of a felony. These laws further apply to a conviction of another jurisdiction which is substantially the same as a Kansas felony.

A person does not violate Kansas law if the record of conviction has been expunged or the person received a pardon for such crime.

Keep in mind that a five (5) or ten (10) year period runs from the date of conviction or release from imprisonment, whichever is later. If you are imprisoned on a parole or probation violation, the five (5) or ten (10) year period will be from the date of release on that imprisonment.

Federal law, 18 U.S.C. 922(g) makes it unlawful for a person convicted in any court of a crime punishable by imprisonment for a term exceeding one (1) year (a felony), to ship transport, receive or possess any firearm or ammunition. This law also applies to a fugitive, unlawful user of drugs, adjudicated mental defective, alien illegally in the United States, dishonorably discharged veteran of the Armed Forces and person who has renounced his/her U.S. citizenship. Violation of this law is punishable by imprisonment or a term of ten (10) years and/or a \$5,000.00 fine.

As a felon, you do not have the right to hunt with a firearm and you do not have the right to own, possess or carry a firearm. You are being advised of this law for your own protection. Should you violate this law, you will bear full responsibility.

Possession is broader than just ownership. You could violate the law by possession of a firearm that you do not own if it is in your residence, vehicle, boat, etc., and you have access to or control of the firearm.

Once the appropriate five (5) or ten (10) years period had elapsed or you are pardoned or your record expunged, you are no longer in violation of Kansas's law for possessing a firearm. At this point, you are also no longer in violation of Federal law for possession of a firearm provided you do not have felony convictions from other states or from a Federal court. It is advisable to check with an attorney in the event the law has changed since you completed this form.

It is possible in some instances to gain relief from disabilities from Federal law. Relief from disabilities can only be given by the Secretary of the Treasury, after filing the necessary forms and having an investigation into your background done by a Federal agent.

These forms can be obtained by writing:  
Bureau of Alcohol, Tobacco and Firearms  
650 Massachusetts Avenue, N.W.  
Washington, D.C. 20226

It is advisable to complete the five (5) or ten (10) year waiting period as required by Kansas's law. Federal relief is not normally granted to persons on probation or parole. Federal relief does not grant relief under Kansas's law.



**STATE OF KANSAS**  
**INFORMATION PERTAINING TO EXPUNGEMENT OF CONVICTION**  
**K.S.A. 21-4619**

- 21-4619. Expungement of certain convictions, arrest records and diversion agreements.** (a) (1) Except as provided in subsections (b) and (c), any person convicted in this state of a traffic infraction, cigarette or tobacco infraction, misdemeanor or a class D or E felony, or for crimes committed on or after July 1, 1993, nondrug crimes ranked in severity levels 6 through 10 or any felony ranked in severity level 4 of the drug grid, may petition the convicting court for the expungement of such conviction or related arrest records if three or more years have elapsed since the person: (A) Satisfied the sentence imposed; or (B) was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence.
- (2) Except as provided in subsections (b) and (c), any person who has fulfilled the terms of a diversion agreement may petition the district court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled.
- (b) Except as provided in subsection (c), no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a suspended sentence, if such person was convicted of a class A, B or C felony, or for crimes committed on or after July 1, 1993, if convicted of an off-grid felony or any nondrug crime ranked in severity levels 1 through 5 or any felony ranked in severity levels 1 through 3 of the drug grid, or:
- (1) Vehicular homicide, as defined by K.S.A. 21-3405, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;
  - (2) a violation of K.S.A. 8-1567, and amendments thereto, or a violation of any law of another state, which declares to be unlawful the acts prohibited by that statute;
  - (3) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked, as prohibited by K.S.A. 8-262, and amendments thereto, or as prohibited by any law of another state which is in substantial conformity with that statute;
  - (4) perjury resulting from a violation of K.S.A. 8-261a, and amendments thereto, or resulting from the violation of a law of another state which is in substantial conformity with that statute;
  - (5) violating the provisions of the fifth clause of K.S.A. 8-142, and amendments thereto, relating to fraudulent applications or violating the provisions of a law of another state which is in substantial conformity with that statute;
  - (6) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime;
  - (7) failing to stop at the scene of an accident and perform the duties required by K.S.A. 8-1602, 8-1603 or 8-1604, and amendments thereto, or required by a law of another state which is in substantial conformity with those statutes;
  - (8) violating the provisions of K.S.A. 40-3104, and amendments thereto, relating to motor vehicle liability insurance coverage; or
  - (9) a violation of K.S.A. 21-3405b, prior to its repeal.
- (c) There shall be no expungement of convictions for the following offenses or of convictions for an attempt to commit any of the following offenses: (1) Rape as defined in K.S.A. 21-3502, and amendments thereto; (2) indecent liberties with a child as defined in K.S.A. 21-3503, and amendments thereto; (3) aggravated indecent liberties with a child as defined in K.S.A. 21-3504, and amendments thereto; (4) criminal sodomy as defined in subsection (a)(2) or (a)(3) of K.S.A. 21-3505, and amendments thereto; (5) aggravated criminal sodomy as defined in K.S.A. 21-3506, and amendments thereto; (6) indecent solicitation of a child as defined in K.S.A. 21-3510, and amendments thereto; (7) aggravated indecent solicitation of a child as defined in K.S.A. 21-3511, and amendments thereto; (8) sexual exploitation of a child as defined in K.S.A. 21-3516, and amendments thereto; (9) aggravated incest as defined in K.S.A. 21-3603, and amendments thereto; (10) endangering a child as defined in K.S.A. 21-3608, and amendments thereto; (11) abuse of a child as defined in K.S.A. 21-3609, and amendments thereto; (12) capital murder as defined in K.S.A. 21-3439, and amendments thereto; (13) murder in the first degree as defined in K.S.A. 21-3401, and amendments thereto; (14) murder in the second degree as defined in K.S.A. 21-3402, and amendments thereto; (15) voluntary manslaughter as defined in K.S.A. 21-3403, and amendments thereto; (16) involuntary manslaughter as defined in K.S.A. 21-3404, and amendments thereto; (17) involuntary manslaughter while driving under the influence of alcohol or drugs as defined in K.S.A. 2005 Supp. 21-3442, and amendments thereto; (18) sexual battery as defined in K.S.A. 21-3517, and amendments thereto, when the victim was less than 18 years of age at the time the crime was committed; (19) aggravated sexual battery as defined in K.S.A. 21-3518, and amendments thereto; or (20) any conviction for any offense in effect at any time prior to the effective date of this act, that is comparable to any offense as provided in this subsection.
- (d) When a petition for expungement is filed, the court shall set a date for a hearing of such petition and shall cause notice of such hearing to be given to the prosecuting attorney and the arresting law enforcement agency. The petition shall state: (1) The defendant's full name;
- (2) the full name of the defendant at the time of arrest, conviction or diversion, if different than the defendant's current name;
  - (3) the defendant's sex, race and date of birth;
  - (4) the crime for which the defendant was arrested, convicted or diverted;
  - (5) the date of the defendant's arrest, conviction or diversion; and

(6) the identity of the convicting court, arresting law enforcement authority or diverting authority. There shall be no docket fee for filing a petition pursuant to this section. All petitions for expungement shall be docketed in the original criminal action. Any person who may have relevant information about the petitioner may testify at the hearing. The court may inquire into the background of the petitioner and shall have access to any reports or records relating to the petitioner that are on file with the secretary of corrections or the Kansas parole board.

(e) At the hearing on the petition, the court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:

(1) The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner;

(2) the circumstances and behavior of the petitioner warrant the expungement; and

(3) the expungement is consistent with the public welfare.

(f) When the court has ordered an arrest record, conviction or diversion expunged, the order of expungement shall state the information required to be contained in the petition. The clerk of the court shall send a certified copy of the order of expungement to the Kansas bureau of investigation which shall notify the federal bureau of investigation, the secretary of corrections and any other criminal justice agency which may have a record of the arrest, conviction or diversion. After the order of expungement is entered, the petitioner shall be treated as not having been arrested, convicted or diverted of the crime, except that:

(1) Upon conviction for any subsequent crime, the conviction that was expunged may be considered as a prior conviction in determining the sentence to be imposed;

(2) the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions:

(A) In any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 2005 Supp. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services;

(B) in any application for admission, or for an order of reinstatement, to the practice of law in this state;

(C) to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;

(D) to aid in determining the petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

(E) upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;

(F) to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;

(G) to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;

(H) in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 2005 Supp. 17-12a102, and amendments thereto; or

(I) in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or 74-5602, and amendments thereto;

(3) the court, in the order of expungement, may specify other circumstances under which the conviction is to be disclosed;

(4) the conviction may be disclosed in a subsequent prosecution for an offense which requires as an element of such offense a prior conviction of the type expunged; and

(5) upon commitment to the custody of the secretary of corrections, any previously expunged record in the possession of the secretary of corrections may be reinstated and the expungement disregarded, and the record continued for the purpose of the new commitment.

(g) Whenever a person is convicted of a crime, pleads guilty and pays a fine for a crime, is placed on parole, postrelease supervision or probation, is assigned to a community correctional services program, is granted a suspended sentence or is released on conditional release, the person shall be informed of the ability to expunge the arrest records or conviction. Whenever a person enters into a diversion agreement, the person shall be informed of the ability to expunge the diversion.

(h) Subject to the disclosures required pursuant to subsection (f), in any application for employment, license or other civil right or privilege, or any appearance as a witness, a person whose arrest records, conviction or diversion of a crime has been expunged under this statute may state that such person has never been arrested, convicted or diverted of such crime, but the expungement of a felony conviction does not relieve an individual of complying with any state or federal law relating to the use or possession of firearms by persons convicted of a felony.

(i) Whenever the record of any arrest, conviction or diversion has been expunged under the provisions of this section or under the provisions of any other existing or former statute, the custodian of the records of arrest, conviction, diversion and incarceration relating to that crime shall not disclose the existence of such records, except when requested by:

(1) The person whose record was expunged;

(2) a private detective agency or a private patrol operator, and the request is accompanied by a statement that the request is being made in conjunction with an application for employment with such agency or operator by the person whose record has been

expunged;

- (3) a court, upon a showing of a subsequent conviction of the person whose record has been expunged;
- (4) the secretary of social and rehabilitation services, or a designee of the secretary, for the purpose of obtaining information relating to employment in an institution, as defined in K.S.A. 76-12a01, and amendments thereto, of the department of social and rehabilitation services of any person whose record has been expunged;
- (5) a person entitled to such information pursuant to the terms of the expungement order;
- (6) a prosecuting attorney, and such request is accompanied by a statement that the request is being made in conjunction with a prosecution of an offense that requires a prior conviction as one of the elements of such offense;
- (7) the supreme court, the clerk or disciplinary administrator thereof, the state board for admission of attorneys or the state board for discipline of attorneys, and the request is accompanied by a statement that the request is being made in conjunction with an application for admission, or for an order of reinstatement, to the practice of law in this state by the person whose record has been expunged;
- (8) the Kansas lottery, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
- (9) the governor or the Kansas racing commission, or a designee of the commission, and the request is accompanied by a statement that the request is being made to aid in determining qualifications for executive director of the commission, for employment with the commission, for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission or for licensure, renewal of licensure or continued licensure by the commission;
- (10) the Kansas sentencing commission;
- (11) the state gaming agency, and the request is accompanied by a statement that the request is being made to aid in determining qualifications: (A) To be an employee of the state gaming agency; or (B) to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-gaming compact;
- (12) the Kansas securities commissioner or a designee of the commissioner, and the request is accompanied by a statement that the request is being made in conjunction with an application for registration as a broker-dealer, agent, investment adviser or investment adviser representative by such agency and the application was submitted by the person whose record has been expunged;
- (13) the Kansas law enforcement training commission and the request is accompanied by a statement that the request is being made to aid in determining certification eligibility as a law enforcement officer pursuant to K.S.A. 74-5601 et seq., and amendments thereto; or
- (14) a law enforcement agency and the request is accompanied by a statement that the request is being made to aid in determining eligibility for employment as a law enforcement officer as defined by K.S.A. 22-2202, and amendments thereto.

Consult your attorney for any question regarding expungement of conviction. I have read (or had read to me) the above and have been provided a copy of the above law.



### RELEASE OF INFORMATION

I, \_\_\_\_\_, request and authorize: Riley County Community Corrections:

To disclose verbal or written **to**, and/or  To disclose verbal or written information **from**,

_____ Parents/Guardians/Spouse	_____ Address
_____ Friend/Significant Other	_____ Address
_____ Other (describe relationship)	_____ Address
_____ Other (describe relationship)	_____ Address
_____ Other (describe relationship)	_____ Address

The following information:

- |   |  |
|---|--|
| <input type="checkbox"/> Substance Abuse Evaluation                           | <input type="checkbox"/> Employment Records  |
| <input type="checkbox"/> Psychological or Psychiatric Evaluation              | <input type="checkbox"/> Scholastic Records  |
| <input type="checkbox"/> Diagnosis, Treatment, and Recommendation Information | <input type="checkbox"/> Law Enforcement Records                                   |
| <input type="checkbox"/> General Case Management Information/Impressions      | <input type="checkbox"/> Criminal History Information                              |
|   | <input type="checkbox"/> Urinalysis and Other Test Results, including breathalyzer |
|   | <input type="checkbox"/> Other: _____  |

To/from all employees of Riley County Community Corrections, for the purpose of monitoring and duty to monitor the client’s compliance with their court order.

\_\_\_\_\_  
Client Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Signature of parent or guardian  
(Where required)

\_\_\_\_\_  
Signature of person authorized  
to sign in lieu of the patient  
(Where required)

This consent is subject to revocation at any time except to the extent that the program which is to make the disclosure has already taken action in reliance on it. If not previously revoked, this consent will terminate upon \_\_\_\_\_, or expiration of probation if left blank, to insure that the consent will last no longer than reasonably necessary to serve the purpose for which it is given.

PROHIBITION ON REDISCLOSURE: The information disclosed is from records whose confidentiality may be protected by State and Federal law. According to 42 CFR 2.35 (a) “may disclose to persons within the criminal justice system which have made participation in program a condition of the disposition of any criminal proceedings”. Further disclosure of this information is prohibited, except with the specific written consent of the person to whom it pertains and only to those individuals within the criminal justice system who have a need for the information in connection with their duty to monitor the client’s progress and which have made participation in program a condition of the disposition of any criminal proceedings.

## **Adult Services Fees**

As stated, there are some costs that will incur by being supervised.  
It is your responsibility to pay these costs.

### Urinalysis Tests: (no charge for negative UAs)

Sticks:	One Drug:	\$16.10
	Two Drugs:	\$26.20
	Three Drugs:	\$36.30
Saliva:	One Drug:	\$25.70
	Two Drugs:	\$32.20
	Three Drugs:	\$50.70

### Supervision Fee:

\$100.00 (one time fee)

### Electronic Monitoring Fee:

\$7.50 per day (if applicable)

\*\*only cash, money order or cashier's checks are accepted\*\*

# CLIENT CHARGE SLIP

DATE: \_\_\_\_\_

CLIENT'S NAME: \_\_\_\_\_

AUTHORIZING INTENSIVE SUPERVISION OFFICER: \_\_\_\_\_

NATURE OF CHARGE	AMOUNT
Justification for Charge Per Policy:	
Supervision Fee	
<b>TOTAL</b>	<b>\$</b>

I agree to reimburse Community Corrections \$ \_\_\_\_\_ no later than \_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
Client's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Intensive Supervision Officer's Signature

\_\_\_\_\_  
Date

# Things to bring for an Office Visit (OV)

Go over this list before you come to the office to see your ISO. Make sure you have all of the documents and information you may need for your ISO.

1. Pay Stub(s)
2. Community Service Worksheet
3. AA/NA Attendance Sheet
4. Cash or Money Order or Cashier's Check Made Payable To:
  - i. Payments on Supervision Fees: Riley County Community Corrections
  - ii. Payments on Court Fees: Clerk of the District Court
5. Drug Prescription(s)
6. A Urine Sample – Be Prepared To Give!
7. New Phone Number
8. New Home Address
9. New Job Address, Phone Number & Supervisor's Name
10. Job Search Sheet
11. If Going To School – Your Report Card/Proof of Enrollment
12. New Driver's License
13. New Vehicle Registration
14. New Insurance Card

## **Cognitive Behavior Change Course**

During the course of your probation period you may be required to complete the Cognitive Behavior Change Course. The course may be completed in 12 weeks if an individual participates, attends classes regularly, and passes the post-test.

The class will take place at Community Corrections and it will be scheduled after 5:00 p.m. once a week. The goal of this course is to provide you with the opportunity to gain the skills to change behavior in a pro-social way, which results in reduced recidivism. The course will recognize principals of Evidence Based Programs by addressing pro-social behavior, group processing, and crime specific programs. It will also allow individuals to learn to understand how their current behaviors need to change in order to achieve their goals. All participants will be expected to participate in activities such as role-playing, discussions, games, and will be expected to complete homework and have fun.

## **Offender Workforce Development Specialist Program**

At your introduction to Riley County Community Corrections if you are not employed you will be referred to the OWDS program. The OWDS program will help you register at the Workforce Center, seek employment, complete a resume, practice interview techniques, and learn to complete applications. The OWDS program will assist you to get necessary documentation to gain employment as well as refer you to appropriate resources.

\_\_\_\_\_  
Participant Signature

\_\_\_\_\_  
ISO

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



## **Senate Bill 123 Reimbursement Form**

This applies ONLY to Senate Bill 123 Probationers:

In addition to your court costs and fees, you are required to pay \$300 toward the cost of treatment services. During the course of your probation, this fee can be modified based upon your ability to pay. This fee will be collected by your community corrections officer who will then forward the payment to the Kansas Sentencing Commission. All payments toward the SB123 fee shall be submitted in the form of check/money order. Collection of insurance does not waive collection of this fee. In the case that your probation ends and fees are still owed this amount will be turned over to collection.

## **General Conditions of Probation:**

1. You will not violate any law, Federal, State or Local.
2. You will not associate with any person engaged in any illegal activity, and you will not associate with anyone who is under the direct supervision of probation or parole, or is currently incarcerated in any jail or prison, without written permission from your Community Corrections Officer.
3. You will report to the Community Corrections Officer as directed, in case of unforeseen circumstances you will contact your assigned officer at least one hour prior to your scheduled appointment time to reschedule.
4. You will not change your place of residence, employment, school placement or treatment without prior approval from your assigned officer.
5. You will permit the Community Corrections Officer to visit you at your home or elsewhere.
6. You will remain within the area specified by the Community Corrections Officer, and you will not leave the State of Kansas without written permission from your Officer.
7. You will abide by a curfew at the discretion of your supervising officer, which may be monitored electronically.
8. You will obtain and work faithfully at suitable employment or be actively involved in a career training program.
9. You will provide accurate information on your income and debts to your supervising officer, who will determine monthly payment amounts on all court ordered obligations, including court costs, restitution, fines, and any other applicable fees.
10. During the probation period, disposable income expenditures over \$200.00 (those other than normal monthly household expenses) must be approved by your supervising officer on a case by case basis, until all Court Costs, fees, fines, and restitution are paid in full.
11. In felony cases, except for violations of K.S.A. 8-1567 and amendments thereto, you may be confined in a county jail not to exceed 60 days, which need not be served consecutively if so ordered by the Court
12. Upon reasonable suspicion, you will submit to a search of your person, property, residence, vehicle, or personal effects, with or without a search warrant. Searches may be conducted with the assistance of any other law enforcement agency. Any items found which constitute a violation of the RCCC program, will be subject to seizure and may be used as evidence in the probation revocation process, or in a trial on any new charges arising therefrom.
13. You will not possess or consume alcohol or illegal drugs, and you will not enter any establishment where the primary source of income is the sale of alcohol.
14. You will submit to any form of random drug and alcohol testing at the request of any law enforcement officer.
15. You will refrain from using or possessing firearms or other dangerous weapons, pursuant to K.S.A. 21-4204.
16. You will comply with any other conditions or restrictions imposed by the Community Corrections Officer.

# ACKNOWLEDGEMENT FORM

## ***ACKNOWLEDGMENT OF EXPLANATION OF SUPERVISION CONDITIONS, CONDITION VIOLATIONS, REVOCATION PROCEDURE, COMPLETION OF PROGRAM ORIENTATION***

I hereby acknowledge that I have been informed and received a copy of all the conditions of community corrections, that they have been explained to me, and that I understand the requirements of supervision, and the revocation process as a result of any violations.

## ***ACKNOWLEDGEMENT OF RANDOM DRUG/ALCOHOL TESTING POLICY***

I hereby acknowledge that I have been informed of the random drug/alcohol policy.

## ***ACKNOWLEDGMENT OF DNA /REGISTRY NOTIFICATION***

I hereby acknowledge that I have been informed regarding DNA and Registry requirements.

## ***ACKNOWLEDGMENT OF EMPLOYMENT NOTIFICATION POLICY***

I hereby acknowledge that I have been informed and received a copy of information regarding employment notification requirements.

## ***ACKNOWLEDGMENT OF EXPUNGEMENT RIGHTS***

I hereby acknowledge that I have been informed and received a copy of the statute regarding Expungement of Conviction.

## ***ACKNOWLEDGMENT OF FIREARM PROHIBITION***

I hereby acknowledge that I have been informed of the prohibition governing possession of a firearm by a convicted felon and that I have been provided with documentation which explains applicable law and method for gaining relief from federal law once discharged from supervision.

## ***ACKNOWLEDGMENT OF GRIEVANCE PROCEDURE***

I hereby acknowledge that I have been informed of the procedure for filing a formal grievance in the event that a problem cannot be resolved informally.

## ***ACKNOWLEDGMENT OF INFORMANT POLICY***

I hereby acknowledge that I have been informed of Riley County Community Corrections' policy that my participation as an informant while being supervised by community corrections must be approved prior to such participation.

## ***ACKNOWLEDGMENT OF SUPERVISION FEE ASSESSMENT***

I hereby acknowledge that I have been informed and received a copy of information regarding the assessment of supervision fees.

I hereby acknowledge that all of the above have been explained to me.

Signed: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Witnessed: \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_